

REMARKS

Claims 1-27, remain pending in the application and stand rejected. The applicants respectfully request reconsideration.

Objection to the Drawings

The drawings are objected to in the action for failing to include the reference numerals 28, 30, 32 and 70 as described in paragraphs 24 and 32 of the application. Figs. 2, 3 and 4 are amended by this response to include the reference numerals 30-32 and 28, respectively. In adding these reference numerals to the drawings, the numbering convention used throughout this application is maintained. That is, the reference numerals 28, 30 and 32 are added to block diagram representations of the associated element in the same manner, for example, that the decorative element 14 is depicted in the drawings. As the image, pattern and color are clearly shown in the drawings but for the indication of the reference numeral, no new matter is added by this amendment.

With respect to the drawings failing to show the reference numeral 70, the applicants have amended paragraph 32 of the specification to eliminate the reference numeral 70. No new matter is added.

The applicants submit that the foregoing amendments to the drawings and specification overcome the objections. Therefore, the objections should be withdrawn.

Rejection under 35 U.S.C. § 112, second paragraph

Claims 16-21 are rejected under 35 U.S.C. § 112, second paragraph as allegedly being indefinite for failing to distinctly point and distinctly claim that which the applicants regard as the invention. Particularly, the examiner points to several instances of alleged lack of antecedent basis and alleged omnibus claiming. By this response, claims 16, 18, 21, 23 and 27 are amended to correct any perceived indefiniteness. Generally, the applicants have amended the claims substantially as suggested by the examiner in the action as well as to provide further clarity to the claims.

The applicants submit that the foregoing amendments to the claims overcome the rejection under 35 U.S.C. § 112, second paragraph. Therefore, the rejection should be withdrawn.

Rejection of the claims under 35 U.S.C. § 103(a)

The claims pending in this application stand rejected as allegedly being unpatentable over various combinations of art, all of which include the Fujii et al US 6,715,423 B1 reference (hereinafter "Fujii"). The applicants submit the examiner has not made out a *prima facie* case of obviousness, and therefore the rejection must be withdrawn.

As an initial matter, the applicants reserve the right to address the merits of the rejection as proffered, including without limitation, to traverse the alleged teachings of the references and/or the motivation or suggestion to combine the references as suggested by the examiner. However, because the applicants believe the citation of the Fujii reference is improper, the applicants do not address these issues in this response.

The Fujii reference is not prior art to the claims of this application. This application claims priority under 35 U.S.C. § 119(e) to US provisional application serial no. 60/226,847 having filing date of August 22, 2000. The pending claims are fully supported by the disclosure of this provisional patent application and therefore are entitled to and benefit from the August 22, 2000 filing date.

The Fujii reference has an earliest 102(e) date of February 23, 2001. As such, it is not prior art to the claims pending in this application. Therefore, the rejection of the claims based upon any combination of references including Fujii is improper and must be withdrawn.

Conclusion

The applicants submit the application as a whole is in a condition for allowance, and such action is requested at the examiner's earliest opportunity. The examiner is encouraged to contact the applicants' undersigned attorney with any questions regarding this response or the application as a whole at the telephone numbers indicated below.

Application No. 09/935,200
Amendment dated September 29, 2005
Reply to Office Action of May 3, 2005

Docket No.: 29498/30165

Dated: September 29, 2005

Respectfully submitted,

By 

Anthony G. Sitko

Registration No.: 36,278

MARSHALL, GERSTEIN & BORUN LLP

233 S. Wacker Drive, Suite 6300

Sears Tower

Chicago, Illinois 60606-6357

(312) 474-6300

Attorney for Applicant

Attachments

AMENDMENTS TO THE DRAWINGS

Please amend the drawings by replacing Figs. 2, 3 and 4 with the attached replacement sheets. Annotated drawings showing the changes to Figs. 2, 3 and 4 are also attached.

Fig. 2 is amended to include the reference numeral "30" in connection with the "color" depicted therein and maintaining the numbering convention used throughout this application. Fig. 3 is amended to include the reference numeral "32" in connection with the "pattern or texture," referred to in paragraph 24 as indicia depicted therein and maintaining the numbering convention used throughout this application. Fig. 4 is amended to include the reference numeral "28" in connection with the "image" depicted therein and maintaining the numbering convention used throughout this application.

Attachment:

Replacement sheets

Annotated sheets showing changes

ANNOTATED SHEET

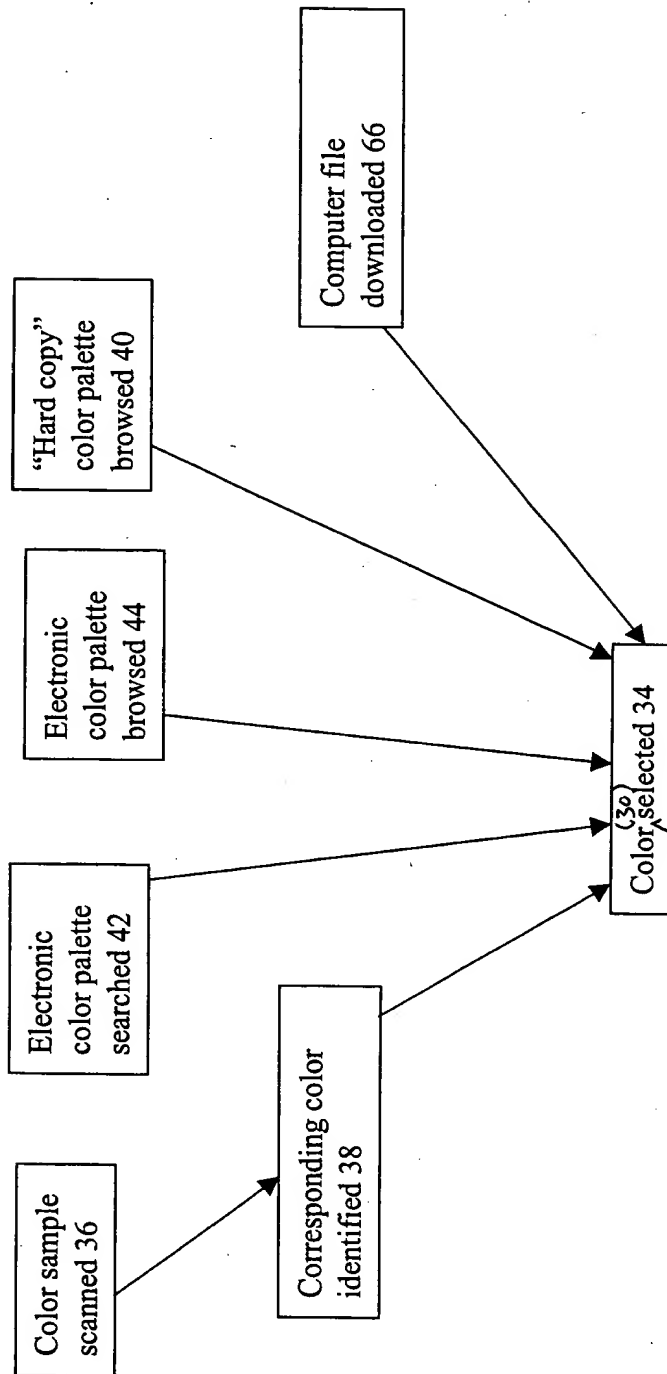


FIG. 2

ANNOTATED SHEET

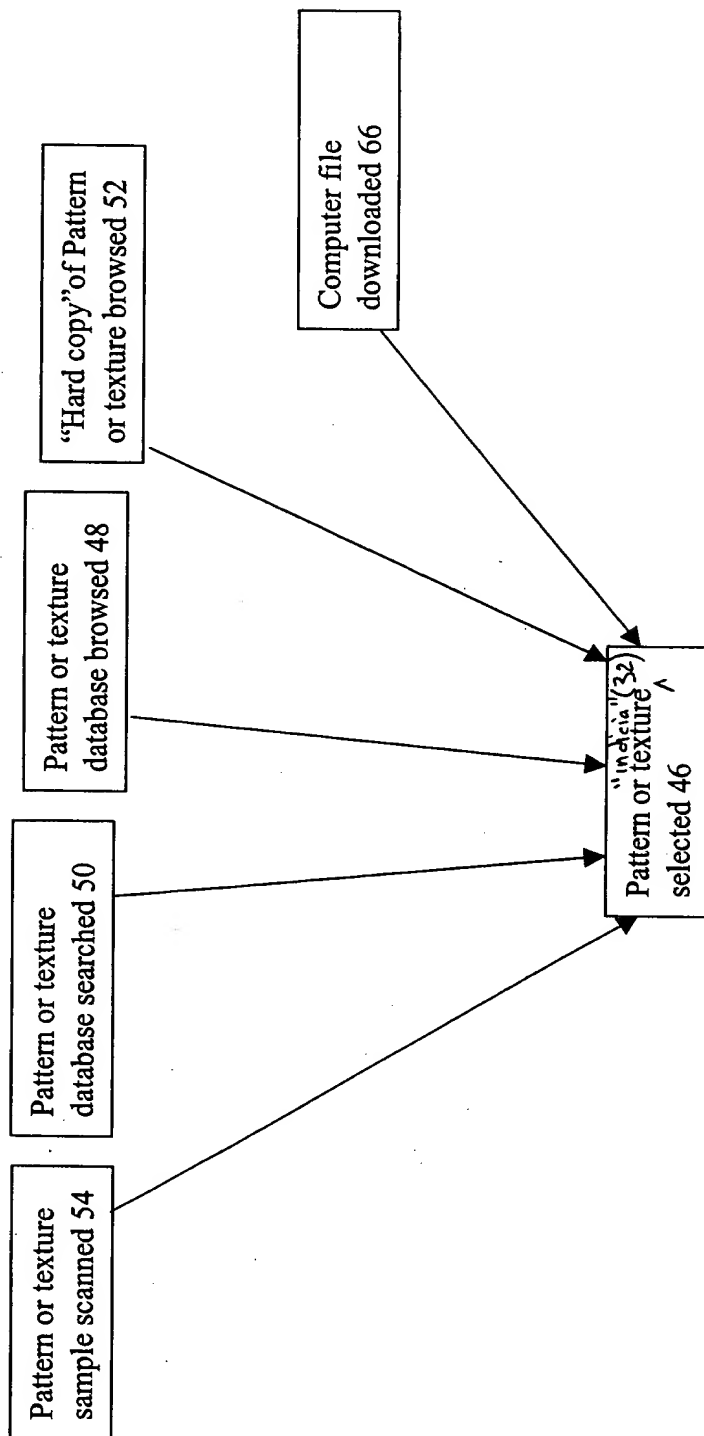


FIG. 3

ANNOTATED SHEET

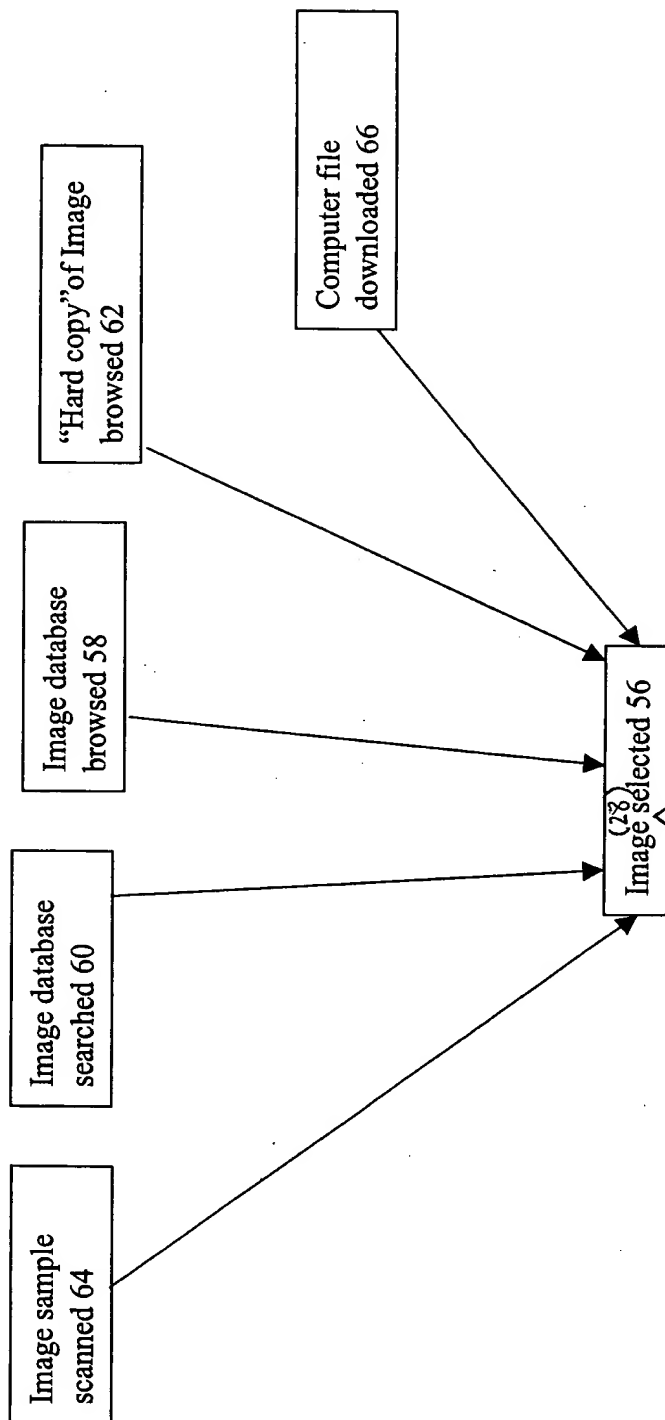


FIG. 4